

BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, November 4, 2004

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, November 4, 2004, at 3:00 p.m., at Police Headquarters, 1300 Beaubien – Rm. 328-A, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Arthur Blackwell, II **(ABS)**
Erminia Ramirez
Jim Holley
Megan Norris
Willie Hampton

Department Personnel Present

Chief Ella M. Bully-Cummings
AC Walter Shoulders
Deputy Chief Craig Schwartz
Cmdr. Ralph Godbee
Cmdr. Walter Martin
Insp. Janice Butler
Insp. Jamie Fields
Insp. John Autrey
Lt. Hope Facenberry
Lt. Reynolds
Sgt. Debbie Jackson
Sgt. Mitchell
Sgt. Romell Alexander
Sgt. McKane
PO Mike Woody

Board Staff Present

Dante' L. Goss, Executive Director
E. Lynise Bryant-Weekes, Personnel Director
Denise R. Hooks, Attorney/Supervising Inv.
Arnold Sheard, Interim Chief Investigator
Ainsley Cromwell, Supervising Investigator

OTHERS PRESENT

Ron Scott
Gloria Canales
Aaron McCaughley

RECORDERS

Jerome Adams
Kellie Williams

1. CALL TO ORDER

Vice-Chairperson Ramirez called the regular meeting of the Detroit Board of Police Commissioners to order at 3:14 p.m.

2. APPROVAL OF MINUTES

♦ **Thursday, October 28, 2004**

MOTION: **Comm. Holley** made the motion to approve the above Minutes.

SECOND: **Comm. Norris** seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. REPORT FROM THE CHAIR

Vice-Chairperson Ramirez stated I am very happy that our proposals for the police department were passed.

Chief Bully-Cummings thanked everyone in the department for helping get the word out on those proposals.

Vice-Chairperson Ramirez stated I understand that we received recommendations for Executive Appointments. At this time, we are going to postpone it until next week, so that the Commissioners could have a chance to look over it.

4. SECRETARY'S REPORT – EXEC. DIR. GOSS

IMPORTANT DATES

Please note the following:

- The Board of Police Commissioners' November Community Meeting will be held on ***Tuesday, November 9, 2004***, due to the Veteran's Day holiday. The meeting will be held at the Brightmoor Community Center located at 14451 Burt Road, Detroit, Michigan 48223.
- The Board of Police Commissioners' will hold their Thursday meeting on ***Tuesday, November 23, 2004***, due to the Thanksgiving Day holiday.

OFFICE CLOSINGS

The Board of Police Commissioners Office and the Office of the Chief Investigator will be **closed** on the following dates:

- Thursday, November 11, 2004, in observance of Veteran's Day.
- Thursday, November 25, 2004 and Friday, November 26, 2004 in observance of Thanksgiving Day.

CITIZEN COMPLAINTS RECEIVED

	<u>This Week</u>	<u>Year to Date</u>
2004 - Weekly Count of Complaints:	15	1,377
2003 - Weekly Count of Complaints:	26	1,106

Vice-Chairperson Ramirez asked we have received any kind of reports in regards to the complaints that are sustained to the Chief's Office?

Exec. Dir. Goss stated yes.

I.C.I. Sheard stated yes, we have.

Vice-Chairperson Ramirez asked what kind of report is that?

I.C.I. Sheard stated on a weekly basis a snapshot of the cases that have been reviewed by the Chief. We bring them every Thursday and we receive them back on every Friday. So, there is kind of a revolving process where the Chief or her designee are reviewing the cases on a weekly basis.

Vice-Chairperson Ramirez stated good.

Comm. Norris asked could you give a copy of those reports to the Commissioners, so that they could get a sense of what is happening with the ones that they have sent forth.

I.C.I. Sheard stated certainly.

Vice-Chairperson Ramirez asked how far has that report gone, was it just recently? I know that I submitted a letter to Comm. Blackwell regarding complaints stemming from April. Have we received something from that?

I.C.I. Sheard stated I would have to review those files again because I don't recall the dates on them.

Vice-Chairperson Ramirez asked could you forward that information to Comm. Holley and myself?

I.C.I Sheard stated certainly.

5. REPORT/PRESENTATION – CHIEF OF POLICE

DETROIT POLICE DEPARTMENT

REPORT TO THE BOARD OF POLICE COMMISSIONERS

Vision Statement

BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

During the period of October 27th – November 2nd, the *Narcotics Enforcement and Conspiracy Units* conducted 17 search warrants and 24 street enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

- ◆ 30 Felony arrests
 - ◆ 62 Misdemeanor arrests
 - ◆ 4 Juvenile detained
 - ◆ 214 Grams of cocaine, 103.2 grams of heroin, 1,648.2 grams of marijuana - street value \$273,856.00
 - ◆ \$16,523.00 U.S. currency
- Confiscated:
- ◆ 9 Handguns
 - ◆ 10 Long guns

On October 30th, *The Gang Enforcement Section* conducted various patrol functions within the boundaries of the city of Detroit, resulting in the following arrest and confiscation:

- ◆ 1 Arrested for "Carrying a Concealed Weapon-Person"
- Confiscated:
- ◆ 1 9mm semi-automatic handgun

On October 27th, *The Vice Section* conducted prostitution enforcement actions within the Second Precinct, resulting in the following arrests and confiscations:

- ◆ 3 Arrested for "Offer to Engage"
 - ◆ 3 Arrested for "Admitting and Receiving"
 - ◆ 3 Arrested for "Disorderly Conduct / Flagging"
- Confiscated:
- ◆ 6 Vehicles
- Revenue Generated:
- ◆ \$3,900.00

Police/Community Intervention



TAKING THE GUNS OFF THE STREET !



Total Guns Confiscated
Year-To-Date
3,624

FIRST PRECINCT

On October 27th, Officers of the 1st Precinct responded to a "Breaking and Entering Alarm" in the 200 block of Elliot. Upon observing an open door, the officers entered the location to search the premises. As a result of their search, a man was found hiding inside the location. He was arrested for "Breaking and Entering." In addition, he was wanted for several other crimes, including "Home Invasion," "Larceny from Motor Vehicle" and "Breaking and Entering a Building."

FIFTH PRECINCT

On October 27th, officers from the 5th Precinct, while on patrol in the 3100 block of Lakewood, observed two (2) men loitering on the corner. As a result of their investigation, the two (2) men were arrested for "Carrying Concealed Weapon–Person." Confiscated were two (2) handguns.

EIGHTH PRECINCT

On October 30th, officers of the 8th Precinct were on patrol in the area of W. Outer Drive and the Southfield Freeway. The officers observed a vehicle disregard a red traffic signal. Upon their investigation, a man was arrested for "Violation of Controlled Substance Act." Confiscated was cocaine and \$435.00 in currency.

ELEVENTH PRECINCT

On September 21st, officers of the 11th Precinct began an extensive search for a man and a woman wanted for a series of armed robberies throughout the city. As a result of their efforts, on October 28th, both were arrested for nine (9) "Armed Robberies." Confiscated were two (2) handguns.

THIRTEENTH PRECINCT

On October 28th, officers of the 13th Precinct were on routine patrol in the area of Horton and Woodward. The officers observed a man riding a bike down the middle of the street with an object that resembled a long gun wrapped in a bed sheet. As a result of an investigation, the man was arrested for "Carrying Concealed Weapon–Person." Confiscated was a .22 caliber rifle.

Chief of Police Ella M. Bully-Cummings

6. PRESENTATION – PSYCHOLOGICAL SERVICES

Lt. Hope Facenberry from the Medical Section gave the following PowerPoint presentation:

(See Attachment)

Questions & Answers

Vice-Chairperson Ramirez asked how are officers referred?

Lt. Facenberry stated there are several ways that an officer is referred to Psychological Services. It could be self referred, by their command. They are all referred as a result of fatal shooting or a critical shooting by the Fatal Force Unit. We have officers that have been referred by the Disciplinary process through the Disciplinary Administration Section. Chaplains have also referred officers.

Comm. Holley asked is there something in place where an officer may recognize something of a fellow officer and don't want to identify themselves?

Lt. Facenberry stated I think that what you are referring to is that if an officer was working with someone that may exhibit erratic behavior do they have an outlet or some way in which they can express that. And, yes we..., we are always talking with the unions and the command officers or supervisors and we encourage them to let us know because a lot of times an officer may not want to put anything in writing or doesn't want it told that he told his partner. We will then bring them in and explain to them that we heard complaints. Normally, if an officer doesn't want to work with one particular officer, there are other people that wouldn't want to work with that individual also.

Vice-Chairperson Ramirez asked what does the union say if a partner doesn't want to be identified that he is the one that told on his partner?

Lt. Facenberry stated eventually the unions are really cooperative and helpful.

Comm. Hampton asked is someone receives this service, what impact does it have on upper mobility?

Lt. Facenberry stated none at all.

Comm. Holley stated so, there is no hindrance for upper mobility, if one is referred and they come out okay. He asked is that what you are saying?

Lt. Facenberry stated correct.

Comm. Holley asked what happens when one is recommended to be unfit? Is there an exit problem?

Lt. Facenberry stated the unions are not usually opposed to a person that is in a psychological services program, they truly have problems. Most of the time, an individual that is in psychological services has a problem. If that officer is found not to be fit to serve as a police officer, the unions are usually really quiet about it.

Comm. Norris asked are they ineligible for disability?

Lt. Facenberry stated yes.

Comm. Hampton asked is there a third imposture that can make a decision, if there is question between the department and the union?

Lt. Facenberry stated the Pension Board makes the decision, as to whether or not a person should be retired and if so, whether it should be duty related or not duty related.

Comm. Holley asked what does it take for the department to say that we are not taking any more chances with an officer? Is it after 2 or 3 incidents?

Lt. Facenberry stated the department's psychiatrist will decide.

Comm. Holley stated I thought we said that we didn't have a psychiatrist.

Lt. Facenberry stated we don't have one on the premises, but we do have one on our staff.

Comm. Norris stated but we choose them.

Lt. Facenberry stated right. We refer out.

Comm. Norris asked is there something that allows us to say that we have determined that you are not appropriate for this department?

Lt. Facenberry asked from a psychological standpoint?

Comm. Norris stated right.

Lt. Facenberry stated if the doctors determine, meaning the department psychiatrist and a consulting psychiatrist that we refer people to, if they

determine that an individual that has been involved in more than one shooting incident or too many traumatic events and is no longer able to function in the department.

Comm. Norris stated

Lt. Facenberry asked do you mean psychologically?

Comm. Norris stated exactly.

Lt. Facenberry stated then that individual is not suitable for police work.

Comm. Norris stated exactly. She asked once I am on the force, I am just passed all of that or is there an opportunity, if I have been involved in some things that seem inappropriate, is there an opportunity to reevaluate that?

Lt. Facenberry stated yes.

Comm. Hampton asked is there an opportunity to be reassigned?

Lt. Facenberry stated yes, sometimes they are reassigned to administrative duties.

Comm. Holley asked what is the definition of a good police officer? Is it subjective or objective? Is it tangible or intangible? Is it feelings or is it knowledge?

Dir. Bryant-Weekes stated we have from the physical standpoint the 24 essential job functions of a police officer. However, from a psychological standpoint, it's a medicine. I say this because they take the psychological examinations and then the tests are scored and they fit in between a range of different things, so that if the psychologists sees that an officer scores and they are too aggressive or they are too passive. So, know that there is no fit definition for this is a good psychological police officer, but there is a range in between which the officer should fall. If they fall outside of that range, then they tend not to be hired as police officers. From the medical section side, once they are on the department and they fall outside of that range there are different things that the officer could do as it relates to that officer.

Comm. Norris asked do we have any sense of how this disqualification rate compares to other departments?

Lt. Facenberry stated no, we do not. We will research that.

Comm. Norris asked could you talk to us about the revamping of this?

Lt. Facenberry stated historically we've had to change the test for this very reason. The Director and I have been looking at different testing instruments along with using a different group of psychologists and a different procedure. We are thinking about reverting back to about 10 years ago, when we had just a test and only if you fell outside of the range, we would call that person in for a psychological interview. We think that might expedite the process, as well as, saving us some money.

Comm. Norris stated and keep it more objective.

Lt. Facenberry stated right.

Comm. Norris stated in the old days, everybody in the department is required to pass the psychological exam. So, they took a paper psychological exam that is designed to see certain areas of problems. And, I think a psychiatrist has to review those test results and they had to look at make sure that everything seemed okay and if everything did, that was the end of it. If you fell outside of an area or if there seemed to be an issue then you had to actually be examined by the psychiatrist before you were signed off on. In the more modern times, every single person has seen a psychiatrist and we have had a lot of people, who have passed the psychological exam and they have been within normal ranges on everything and then the psychiatrist has disqualified them and that obviously introduces a subjective element into the whole thing, which maybe is good. In other words, maybe the psychiatrist is seeing things that are seeing things that are important for us to see that wasn't showing up on the paper or maybe it is bad and the psychiatrist is putting a spin on some things that maybe is not an appropriate spin. But, the result has been, what seems to me to be a very high disqualification rate. Although, I don't have the information, maybe every place has 15%. But, it seems to me after you pass our written test, which we lose a whole bunch of people on that, and you pass the physical agility, you get through the background check, you get through the boards and you get through all of that, then we are down to a relatively small number of people now. To have another 10% to 15% flunk out on the psych at the end, just seems very very high to me. So, I understand that what we are doing is, looking in part if we want to go back to the old way, where you only get to the psychiatrist if there seems to be an issue.

Lt. Facenberry stated right.

Comm. Norris stated we use to have a rule that if you failed on a psych exam you were disqualified for life, even if the reason you failed was immaturity or something that could be uncommon. But, now it is certain things that may things that may have you disqualified for life, but most things you could back after some waiting period of time.

Lt. Facenberry stated we are going to set some criteria's.

Comm. Norris stated so, that's another issue. Looking at who our psychiatrist are, just to make sure that we are comfortable with them visiting another issue. This is an area where we have some say. It became a big concern to me when there was a big recruiting push and I went out and recruited somebody and they got rejected, on the psyche exam. And I thought, shoot the person was good enough to watch my kid for a week, I'm concerned that it maybe their not going to be a police officer. Either I'm in trouble or the city just made a mistake and I don't know which one it is. But, I think we need to look at how our disqualification rates compare. We need to look at those kinds of things. Because maybe were doing all the right things and we need all the scrutiny. Or maybe were ruling out some good people for some very inappropriate reasons and I think that we need to get to the bottom of that.

Vice-Chairperson Ramirez asked how many questions are on the exam?

Lt. Facenberry stated there are 238 questions on the exam.

Chief Bully-Cummings stated I think it's the same question it was just asked in a different way of whether or not you are consistent with your response.

Comm. Norris stated yes, you're right if you were trying to play the test in some fashion. I haven't heard any criticism of the written exam. What I have heard is that's a sort of a medically tested exam. And the question is if you pass that and then your still disqualifying you what is it. And they said it might be a good thing. It might be if certain things don't show up or it might not be. And that's the other thing that I don't think that we've looked at, maybe we should. Maybe we should look at some of our problem people and go back and see if that showed up in some fashion. Because if it did, maybe there are some more things that we should pay attention to or if it didn't maybe there are some things that we aren't looking at that we need to be.

Comm. Holley stated maybe we need the psychiatrist looked at.

Comm. Norris stated the Chief is saying this person has been here a long time. But I just have personal concerns about this, because of my involvement. But I think at especially with Chairperson Blackwell's sort of push on with recruiting issues, we don't want to go out and pull out a bunch of good people and then loose them for reasons that aren't the reason.

Chief Bully-Cummings stated I don't think that the lieutenant can address this, probably more so than the Director because it is the Spirit of Service Grant, which was part of it taking a look at the entire process for recruiting officers and to identify officers that are more inclined to community service. So, I don't know if the Director wants to speak on that.

Dir. Bryant-Weekes stated they did as apart of the grant, Dr. Terry Eisenberg came in and did an evaluation on the entire process including the psychological portion. And, as a result to that we are, as Lt. Facenberry said looking at some new things. However, Dr. Eisenberg determination and some of the psychologists from the police foundation agreed that it's sort of not impossible, but not practical to try and screen in community oriented police officers. And, that should be done at different phases of our hiring process. However, once you get to the psychological process, community service are types of things that could be looked into for different psychological reasons. So, we actually have another meeting scheduled for the 12th of November to discuss the new revamping process for the psychological evaluations because we've had some other issues with some psychologists. MCOLES actually requires only that a medical doctor certifies a person as psychological fit. Historically, the police department has had a psychologist or a psychiatrist. MCOLES indicates that a psychologist can do that. And, so historically in the police department we have used psychologist and psychiatrist because those are the ones who are most qualified to give a psychological determination. It has been felt that it is best for the department. However, the selection of those psychologists is something that we currently reviewing.

Comm. Holley asked if I'm a police officer for ten years how many times am I evaluated psychologically? I haven't done anything wrong, but I've been on the force for ten years, and I have been involved. He asked is there any reason why you if I'm a police officer for so many years that I go through a medical? He asked in other words, if I go to check out my gun range, shouldn't I check out my mind range too?

Dir. Bryant-Weekes stated no.

Comm. Holley asked why?

Dir. Bryant-Weekes stated because the law prohibits us from checking out your mind unless we have a reason to believe that there is something wrong with your mind.

Comm. Holley stated what I'm saying is regarding why should I wait to someone make him shoot somebody before I then check him out. Why can't we? I mean he or she has to be good on gun range and he/she has to be good in driving. They have to be all of this other stuff but you mean to tell me that the mind which is exposed to all of this stuff and you have to react to it and you have to see your brothers and sisters going through all of this and that. He asked are you saying that it is law in terms of law or is that our law?

Dir. Bryant-Weekes stated no that's law that's the ADA.

Comm. Holley asked the insurance that I'm at risk here and you telling that because of all this money that I pay out and subject to paying out because I don't have a right or a negotiable right to ask police officers to make sure that your thinking skills are just as good as your gun skills?

Lt. Facenberry stated they are hoping that with our new administrative awareness system that we are about to implement that will detect some officers that are having difficulties.

Comm. Holley stated unless there is something that is happening in that direction I mean even though you can't do all that I'm asking you to do but at least I'm just saying to you is that the after affect is not keeping me out of this trouble. I just think there is something that we ought to do ourselves even over and beyond whatever the law says just to make sure that we end up that we don't have a lot of the incidents to deal with. That's all I'm begging for. I don't really care the mark.

Cmdr. Goodbee stated you are absolutely right. Within the Interim Risk Management System that we are rolling out, we have a mechanism called the Risk Assessment Personnel Review. We've used that already. For instance, there was an officer and I can't go through who that officer is. But, he was involved in four or five shootings over time. Lieutenant Stair was over Internal Affairs at the time. The Force Investigation section brought this person to Risk Assessment's attention. We did a complete work on this person from the day he walked into the door, his recruiting file and a number of different things his sick time, we looked at a number of different factors to see why is this person putting themselves in a position where they are involved in this number of shootings. Even though, no one was hurt, thank God. But, we saw a trend that would cause us to be concerned. What we noticed when we put that together and removed that person from this parent command and assigned him out to a non-sensitive area. After reviewing it we found some things and eventually that officer resigned. Because he understood that we were aware of what he was doing and we were aware that there was a problem. Unfortunately, he didn't wait around for a remedy. But, we do have mechanism in place where we do recognize this. There are triggering events, there are thresholds that have been met and once they have met then the Risk Assessment Section portion kicks in, that's how we mitigate that. So, were not waiting for the roll out of the Interim Management Awareness System. We do those kinds of things. We're doing those things anyway. The Interim Management Awareness System is going to be a more formalized mechanism way for it to be done across the department. For issues, as you point out, officers may not have been in that extreme shooting, but over time I have seen enough significant events to where it has caused them problems. Where there are things that manifest themselves. People started coming to work late, they start to do things that they didn't do before or make little mistakes that they didn't used to make, and all of these things will cause us to look at different ways at the officer and

intervene and find out if any help is necessary, prior to. We have to articulate the fore cause. So, this system will help us articulate the fore cause, so we can't possible do a psychological review. We could possible could deal with some areas that absent fore cause. We are doing a better job of looking at the material that we already have on the officers.

Chief Bully-Cummings exited the conference room at 3:52 p.m. and she was replaced by Deputy Chief Craig Schwartz from the Criminal Investigations Bureau.

Dir. Bryant-Weekes stated I caution the department on even with the Risk Management System regarding not waiting until the officer is involved in some traumatic event. The law prohibits, even with a risk management system, you from perceiving a person as being psychologically handicapped, which is what you would be doing. For example, if you see me coming in late and if you see me doing these things, you can try to address it from a Risk Management perspective do I need assistance.

Comm. Holley stated what I am saying is that there should be a standard policy for all 4,000 officers to be evaluated.

Dir. Bryant-Weekes stated no, it is against the law. It can't be a part of your policy to send 4,000 people for psychological evaluation without having a reason to do so.

Comm. Norris stated I think that is a little simple. What the law says is that you cannot do medical exams, which includes a psychological examination, unless it is justified by business.

Dir. Bryant-Weekes stated right.

Comm. Norris asked just like we require physical agility exams, couldn't we say we wouldn't because we would lose half of our force. But, couldn't we say every two years you have to pass that?

Dir. Bryant-Weekes stated we could say that.

Comm. Norris stated our business necessity is, just like we needed you to be fit the day you came in, we need you to be fit on day 300, day 900, and day 4,000 and we are going to make sure that you stay fit all the way through. I don't think the problem is legally could you do those exams. First of all, it would be extremely costly because you would have to do it for everybody, you couldn't pick people out. I think the second problem is, then what would you find in that exam. If what you found was, you know we have some questions about whether this person can.... Then you run into the well we are perceiving

them as having some disability and in fact, they could do the job. I think what we do the results, would be a project.

Comm. Holley stated what I am saying to you is that I am paying 6 million on this end because we are making some silly mistake or we have people who are making bad judgments or do I pay a 1.5 million on this end to at least sit down with a medical doctor and say you are physically fit, you're mentally fit, your gun range is fit and I have total officer, every three years. Laws are laws, but this is our police department and we have a standard that we set for ourselves and when you come in here, it is a culture that we have and you are either part of the culture or you are not part of the culture. I am suggesting that we look into something light and it doesn't have to be something heavy because there is a reason why we are getting these \$6 million lawsuits. He asked how do we stop the hemorrhaging?

Comm. Norris stated when you have had three different disciplines that involve some sort of force issue or when you had a line to your supervisor issue that we look at what kind of discipline that we would give on that. Right now, it is first offense, we tell you to stop and the second offense is maybe you miss a day or something. Another approach is if you have a certain number of certain kinds of offenses, I don't care that you are psychologically fit or not. I don't care if you have anger management issues or you are just a bad guy. At some point, you are not appropriate to be on our force. I am not going to wait until you shoot somebody or hurt somebody. I am going to decide at an earlier stage and that is a disciplinary issue. As I understand it right now, we do performance evaluations and we are all getting trained on how we are supposed to do our performance evaluations. But, those performance evaluations don't have anything to say about who gets promoted or not. They play no role in that. That's another policy issue. That's another thing that has to be bargained. But, it seems to me that if your supervisor is saying this person has judgment problems, they are not breaking rules, so I cannot discipline them for breaking rules, but I am telling you that they overreact to everything, they don't deescalate, when they are suppose to deescalate. It seems to me that ought to come into play. I think those are legal ways to address problems where the psychological is.... We are looking for something that we don't even know would show up there and it could just be that you are a jerk.

Comm. Holley stated I understand and I can deal with that.

Comm. Norris stated but we have to do something.

Comm. Holley stated because right now, I don't see anything that we are doing or addressing to hemorrhage it.

Lt. Facenberry stated I agree.

Comm. Holley stated we need to look out for the community.

Comm. Norris stated I agree. That is why Comm. Ramirez has been pushing so hard for what we are finally getting, which is when we find in those citizen complaints that somebody did something wrong, we want to know what action was taken because if the action is nothing, we might have something to say.

Lt. Facenberry stated a lot of our supervisors bring the very same issues to the attention of the Psychological Services.

Vice-Chairperson Ramirez asked when the supervisor is informed, how long does it take to get the officer evaluated?

Lt. Facenberry stated depending on the behavior, it takes one (1) week to two (2) weeks.

Vice-Chairperson Ramirez stated we know that it has a lot to deal with the disciplinary section and the new management awareness system that is coming out.

Comm. Holley asked why Oakland County?

Lt. Facenberry stated because they extended their services to us.

Comm. Holley asked why not Wayne County?

Lt. Facenberry stated I don't even know that Wayne has one.

Comm. Holley asked could you check and see?

Lt. Facenberry stated I will.

7. OTHER BUSINESS

Dir. Bryant-Weekes announced that the Recruiting Unit will be having a recruiting fair on November 6, 2004 at the Cobo Conference Center from 10:00 a.m. to 6:00 p.m. I also wanted to thank DC Tate and his staff for getting the word out.

Comm. Hampton asked is there something for kids in grades K through certain grades get their fingerprints taken for identification purposes.

Dir. Bryant-Weekes stated yes, Lt. Terry Herbert from the Police Community Services Unit is responsible for that and he will be more than happy to assist you with that.

8. ANNOUNCEMENT OF NEXT MEETING

Tuesday, November 9, 2004 @ 6:30 p.m.
Brightmoor Community Center
14451 Burt Road
Detroit, MI 48223

9. ORAL COMMUNICATION FROM THE AUDIENCE

Ron Scott asked how are falsified reports being handled?

DC Schwartz stated when we receive complaints they are looked into by the command. If criminality is involved, then the Internal Affairs Section would look into it.

Mr. Scott asked are any of the questions that have been raised in the media and personally relative to the situations that I mentioned? Are they being looked at?

DC Schwartz stated yes, they are.

Mr. Scott asked when will we find out something?

DC Schwartz stated at the conclusion of the investigation and the Chief of Police would be apprised of the results of the investigation.

Mr. Scott asked do you have a time frame?

DC Schwartz stated not at this time. Not all of these investigations are under my bureau so, I don't know when they are going to be completed, but the matters have been and are being looked into.

Mr. Scott asked the Commissioners if they could find out what the timeframe is and what the process is?

Comm. Holley asked have you officially requested that?

Mr. Scott stated no, I haven't.

Comm. Holley asked Mr. Scott to send a written request.

Vice-Chairperson Ramirez asked Dir. Goss to check into that. She asked does all the precincts have someone that is looking at PCR's or reports?

DC Schwartz stated it is required by the consent decree that all complaint records that involve arrest are reviewed by (inaudible).

Vice-Chairperson Ramirez asked is somebody from CRIB actually at the precincts?

DC Schwartz stated there is no one from CRIB at the precincts, but there are coordinators for DOJ issues that forward the appropriate documents to CRIB. So, there is oversight by CRIB.

Vice-Chairperson Ramirez asked do you have individuals like that in all the precincts?

DC Schwartz stated yes.

Vice-Chairperson Ramirez asked are they there 24-hours or certain times?

DC Schwartz stated the precincts themselves are not under my command, I am not certain.

Aaron Macauley asked Dir. Bryant-Weekes what is the status of my appeal because she did not contact me this week and I did not get an answer? He stated that all was told was that they had to get something from the clinic and they did not have the timeframe of how long it would be.

Comm. Norris asked could you give us a general procedure of what the steps are and what the timeframe might be.

Dir. Bryant-Weekes stated procedurally, it depends on where the letter goes. If the letter goes to the Chief of Police, whenever they send it to me then I send it down to Personnel Recruiting for an investigation. When I get it, I give them a minimum of six weeks to do the investigation. Commenting specifically on this particular case, it went through that process and was submitted to the Chief of Police and she sent it back, as informed to Mr. Macauley this week, for some more information. So, there is no way that I can tell Mr. Macauley how long I am going to get that information from the clinic. I can say that we are requesting it and then when we get it, I'll send it to the Chief and if it is to her satisfaction, then she will make a decision. If we don't get it in a reasonable time then I would take some other steps.

Comm. Norris asked could give us an example of what's typical?

Dir. Bryant-Weekes stated this is the first time that the Chief has ever sent it back. She has sent, not only Mr. Macauley's back, but some others with some questions, specific for the clinic to respond to. So, this is not a typical situation.

Comm. Holley asked is he trying to become a police officer or is he already one?

Dir. Bryant-Weekes stated he is trying to become a police officer.

Comm. Norris stated he was rejected and he is appealing that, as is his right and that's being looked at.

Dir. Bryant-Weekes stated we did not reject Mr. Macauley, the clinic rejected Mr. Macauley.

Vice-Chairperson Ramirez asked will it be a couple of weeks?

Dir. Bryant-Weekes stated I can't tell you Comm. Ramirez because I don't control it. We sent it back to the clinic or we are sending it back to the clinic and which, that doesn't fall under me. That falls under DC Gary Christian. So, if I have a problem getting the information from the clinic then I will speak with DC Christian and he will speak with Dr. Blessman and then Dr. Blessman will then make the clinic act. I cannot give him a timeframe on that.

Comm. Hampton asked so you are working on it?

Dir. Bryant-Weekes stated I am working on it.

Mr. MaCauley stated I had an actually job and now I am unemployed.

Comm. Norris stated without medical approval we believe we cannot hire you. So, if there was rejection we can look into that, which is what we are doing.

Mr. MaCauley asked are you saying mental approval from my clinic because I provided medical approval?

Dir. Bryant-Weekes stated from our clinic.

Comm. Norris stated this is an MCOLES state law requirement.

Comm. Holley asked how many do we have in this category? How many did the Chief send back?

Dir. Bryant-Weekes stated on this occasion, she sent back five.

Comm. Holley asked could you bring this to closure by next Thursday?

Dir. Bryant-Weekes stated no, it is not possible.

Comm. Holley asked why?

Dir. Bryant-Weekes stated because it is medical information.

Comm. Holley asked you can't ask for it?

Dir. Bryant-Weekes stated no, I have to send it to the clinic. And, the questions that the Chief has simply cannot be answered in a week. There are some issues.

Comm. Hampton asked is there any way that it could be expedited?

Dir. Bryant-Weekes stated yes.

10. ADJOURNMENT

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/kdw